

09-15-09

for RCE

PTO/SB/30 (10-01)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Commissioner of Patents MAIL STOP RCE P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/569,865
	Filing Date	March 14, 2006
	First Named Inventor	Manfred NIEDERHUFNER ET AL
	Art Unit	3679
	Examiner Name	Gregory John BINDA
	Attorney Docket Number	NIEDERHUFNER ET AL-1 PCT (RCE)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. [Submission required under 37 CFR 1.114]

a. [] Previously submitted

i. [] Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____.
(Any unentered amendment(s) referred to above will be entered).

ii. [] Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

iii. [] Other _____

b. [X] Enclosed

i. [] Amendment/Reply

iii. [] Information Disclosure Statement (IDS)

ii. [] Affidavit(s)/Declaration(s)

iv. [X] Other: Preliminary Amendment in RCE

2. [Miscellaneous]

a. [] Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months: Fee under 37 CFR 1.17(i) required)

b. [] Other _____

3. [Fees] The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. [X] The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 03-2468.

i. [] RCE fee required under 37 CFR 1.17(e)

ii. [] Extension of time fee (37 CFR 1.136 and 1.17)

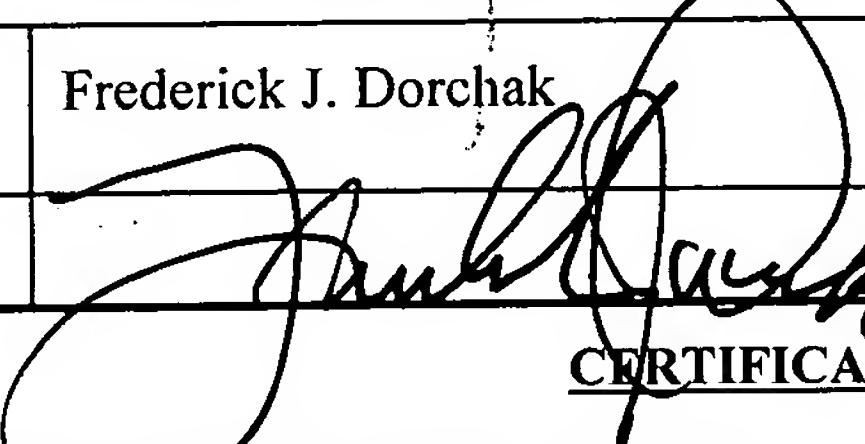
iii. [] Other _____

b. [X] Check in the amount of \$ 810.00 enclosed

c. [] Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Frederick J. Dorchak	Registration No. (Attorney/Agent)	29,298 (Customer No. 25889)
Signature			
Date	September 14, 2009		

CERTIFICATE OF MAILING 09/15/2009 SDENB0B3 00000108 10569865

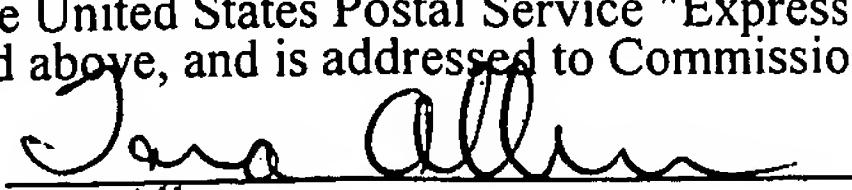
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Date of Deposit: September 14, 2009

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Tara Allen